

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

**FILED**

MAR 28 2018

Clerk, U S District Court  
District Of Montana  
Billings

DAWN HOOTS,

Plaintiff,

vs.

DPHHS: MOYRA ANTHONY, and  
CHELSEY HANDFORD,

Defendants.

CV 17-164-BLG-SPW

ORDER ADOPTING  
MAGISTRATE'S FINDINGS  
AND RECOMMENDATIONS

Plaintiff Dawn Hoots filed a motion to proceed in forma pauperis (Doc. 1) and a Petition for Writ of Habeas Corpus and Emergency Motion for Return of Child (Doc. 2).

The United States Magistrate Judge filed Findings and Recommendations on March 6, 2018. (Doc. 4). The Magistrate granted Hoots' motion to proceed in forma pauperis but recommended the Court deny the petition for writ of habeas corpus. (Doc. 4 at 1).

Pursuant to 28 U.S.C. § 636(b)(1), parties are required to file written objections within 14 days of the filing of the Magistrate's Findings and Recommendation. No objections were filed. When neither party objects, this Court reviews the Magistrate's Findings and Recommendation for clear error.


*McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendation, this Court does not find that the Magistrate committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by the United States Magistrate Judge (Doc. 4) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Hoots’ petition for writ of habeas corpus and emergency motion for return of child (Doc. 2) are DENIED.

The Clerk of Court is directed to close the case and enter judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DATED this 27<sup>th</sup> day of March, 2018.

  
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SUSAN P. WATTERS  
United States District Judge